

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

JASON WILLIAMS,

Plaintiff,

vs.

AT&T MOBILITY LLC,

Defendant.

Case No. 5:19-cv-00475-BO

**DECLARATION OF JOSEPH S. DOWDY IN SUPPORT OF DEFENDANT AT&T  
MOBILITY LLC'S MOTION FOR SUMMARY JUDGMENT OR  
FOR PARTIAL SUMMARY JUDGMENT IN THE ALTERNATIVE AND  
DEFENDANT'S MOTIONS IN LIMINE 1 AND 2**

1. I, Joseph S. Dowdy, declare as follows:

2. I am an attorney at law, duly licensed and admitted to practice law before this Court and the courts in the State of North Carolina. I am attorney of record for Defendant AT&T Mobility LLC ("AT&T") in this Action. If called to testify to the following, I could do so truthfully, competently and of my own personal knowledge.

3. I submit this Declaration in support of AT&T's Motion for Summary Judgment or Partial Summary Judgment in the Alternative and in support of AT&T's Motions *In Limine* 1 and 2, filed concurrently with AT&T's summary judgment motion (all three motions collectively referred to hereafter as "Motions").

4. Attached to the Appendix of Exhibits filed in support of AT&T's Motions are true and correct copies of the following documents:

Ex. No.	Description
1	Attached as Exhibit 1 to the Appendix is a true and correct copy of the relevant excerpts of the deposition testimony of Plaintiff Jason Williams, taken in this action on February 23, 2022
2	Attached as Exhibit 2 to the Appendix is a true and correct copy of Plaintiff Jason Williams' First Supplemental Responses and Objections to AT&T's Second Set of Interrogatories, dated November 12, 2021, as verified by Mr. Williams (identifying Apollo Kids Mining, LLC).

3	Attached as Exhibit 3 to the Appendix are true and correct copies of two AT&T Wireless Customer Agreements that were in effect between AT&T and Plaintiff between March 2018 and February 2019 when he terminated his AT&T Wireless service: PART 1: AT&T Wireless Customer Agreement in effect March 2018–Nov. 2018 (beginning at ATT-WIL-05974); and PART 2: AT&T Wireless Customer Agreement in effect Nov. 2018–Feb. 2019 (beginning at ATT-WIL-01498). The relevant provisions raised in the Motions did not change between these two versions, but are offered for completeness.
4	Attached as Exhibit 4 to the Appendix is a true and correct copy of the relevant excerpts of the Deposition of AT&T Mobility LLC taken pursuant to Fed. R. Civ. Proc. 30 (b)(6) (Valerie Scheder), taken on November 30, 2021.
5	Attached as Exhibit 5 to the Appendix is a true and correct copy of the relevant excerpts of the Deposition of AT&T Mobility LLC taken pursuant to Fed. R. Civ. Proc. 30 (b)(6) (Ray Hill), taken on November 17, 2021.
6	Attached as Exhibit 6 to the Appendix is a true and correct copy of Plaintiff Jason Williams' Signed Electronic Acknowledgement for AT&T Mobility Wireless Customer Agreement (ATT-WIL-01564). Mr. Williams' telephone number has been redacted.
7	Attached as Exhibit 7 to the Appendix is a true and correct copy of the website of the State of Delaware, Department of State, Division of Corporations showing entity details indicating that Apollo Kids Mining, LLC was formed as a Limited Liability Company and registered in Delaware in March 2018. This webpage was printed on March 25, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Dated and executed at Raleigh, North Carolina on this 30<sup>th</sup> day of March 2022.

/s/ Joseph S. Dowdy  
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**CERTIFICATE OF SERVICE**

I hereby certify that on date set out below, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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This the 30th day of March, 2022.

/s/ Joseph Dowdy  
Joseph S. Dowdy